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DECISION



**THE COMPTROLLER GENERAL
OF THE UNITED STATES
WASHINGTON, D. C. 20548**

FILE: B-188004

DATE: January 7, 1977

MATTER OF: Ms. Geneva Osborne

DIGEST:

GAO is precluded from rendering authoritative decision on protest filed against procurement conducted on behalf of nonappropriated fund activity since accounts of such activities do not fall within account settlement authority of 31 U.S.C. §§ 71 and 74 (1970) upon which bid protest jurisdiction is based.

Ms. Geneva Osborne has protested the award of Contract No. DAAD05-76-C-K086 to another bidder by the Procurement Division, Aberdeen Proving Ground.

This contract is for a barber shop concession in the NCO Club, a nonappropriated fund activity. With regard to procurements conducted by or on behalf of nonappropriated fund activities, this Office has no authority to render authoritative decisions. ACS Construction Company, Inc., B-183034, April 18, 1975, 75-1 CPD 238. Our bid protest jurisdiction is based on our authority to adjust and settle accounts and to certify balances in the accounts of accountable officers under 31 U.S.C. 71, 74 (1970). Where we do not have such settlement authority, we have declined to consider protests on the grounds that we are precluded from rendering authoritative decisions on these matters. Equitable Trust Bank, B-181469, July 9, 1974, 74-2 CPD 14.

Since we do not have settlement authority over nonappropriated fund activities, this Office is unable to render an authoritative decision on the protest.

Paul G. Dembling
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General Counsel